

## UNITED STATES DISTRICT COURT

for the

Southern District of New York

SERGE ANDREV, Derivatively and on behalf of  
BRAINSTORM CELL THERAPEUTICS INC.,

\_\_\_\_\_  
*Plaintiff(s)*

v.

CHAIM LEBOVITS, et al.  
SEE ADDENDUM ATTACHED

\_\_\_\_\_  
*Defendant(s)*

Civil Action No. 1:24-cv-1101

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Chaim Lebovits, Stacy Lindborg, Ralph Kern, Jacob Frenkel, Irit Arbel, June Almenoff, Nir Naor, Anthony Polverino, Uri Yablonka, Menghis Bairu, Malcolm Taub, Jerold Chun, Stanley H. Appel, Amit Bar-Or, and Brainstorm Cell Therapeutics, Inc.  
c/o Brainstorm Cell Therapeutics, Inc.  
1325 Avenue of Americas, 28th Floor  
New York, New York, 10019

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

J. Brandon Walker  
Lawrence P. Eigel  
BAGAR EAGEL & SQUIRE, P.C.  
810 Seventh Avenue, Suite 620  
New York, NY 10019  
Telephone: (212) 308-5858 ~ Email: walker@bespc.com; eigel@bespc.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 02/16/2024

/s/ P. Canales

Signature of Clerk or Deputy Clerk

**ADDENDUM TO SUMMONS**

*Serge Andrev v. Chaim Lebovits, et al.*

CHAIM LEBOVITS, STACY LINDBORG, RALPH KERN, JACOB FRENKEL, IRIT ARBEL, JUNE ALMENOFF, NIR NAOR, ANTHONY POLVERINO, URI YABLONKA, MENGHIS BAIRU, MALCOLM TAUB, JEROLD CHUN, STANLEY H. APPEL, AND AMIT BAR-OR,

Defendants,

and

BRAINSTORM CELL THERAPEUTICS, INC.,

Nominal Defendant.